

MITCHELL D. GLINER, Esq.
Nevada Bar No. 3419
3017 West Charleston Blvd., Suite 95
Las Vegas, NV 89102
(702) 870-8700
(702) 870-0034 FAX
Attorney for Plaintiff

2005 MAR 15 P 3:31

MJ

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ELLEN BEAUCLAIR-HARTER,)
Plaintiff,)
vs.)
EXPERIAN INFORMATION)
SOLUTIONS, INC.)
Defendant.)

CV-S-05-0357-RLH-PAL

JURY DEMANDED

COMPLAINT

JURISDICTION

1. The jurisdiction of this Court attains pursuant to the FCRA, 15 U.S.C. Section 1681(p), and the doctrine of supplemental jurisdiction. Venue lies in the Southern Division of the Judicial District of Nevada as Plaintiff's claims arose from acts of the Defendant(s) perpetrated therein.

PRELIMINARY STATEMENT

2. The Plaintiff brings this action for damages based upon Defendants' violations of the Fair Credit Reporting Act, 15 U.S.C § 1681 *et seq.* (hereinafter referred to as "FCRA"), and of state law obligations brought as supplemental claims.

3. Plaintiff is a natural person and is a resident and citizen of the State of Nevada and of the United States. Plaintiff is a "consumer" as defined by § 1681a(c) of the FCRA.

1 consumer reports concerning Plaintiff, to follow reasonable
2 procedures to assure maximum possible accuracy of the information
3 in the reports.

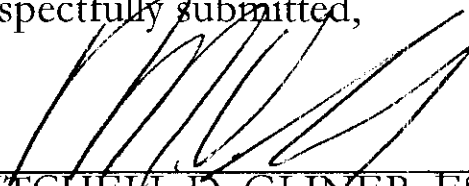
- 4 b. By willfully and/or negligently failing to comport with FCRA
5 § 1681i.

6 PRAYER FOR RELIEF

7 THEREFORE, Plaintiff prays that the court grant the following relief as against
8 Defendant:

- 9 a. actual damages;
10 b. punitive damages;
11 c. attorney's fees; and
12 d. costs.

13 Respectfully submitted,

14 
15 MITCHELL D. GLINER, ESQ.
16 Nevada Bar #003419
17 3017 West Charleston Boulevard
Suite 95
18 Las Vegas, Nevada 89102
Attorney for Plaintiff
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27
28

October 19, 2004

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

EXPERIAN INFORMATION SERVICES, LLC
NCAC
P. O. Box 9595
Allen, Texas 75013

Re: **ELLEN BEAUCLAIR-HARTER**

Dear Sir:

This letter is a dispute. I enclose an excerpt from my combined credit profile.

I also provide my personal information: Name: Ellen Beauclair-Harter; spouse: N/A; present addresses: 849 Cottonwind Street, Henderson, NV 89015; previous address: N/A; S.S. No.: ; date of birth: 1964.

The bracketed Providian Financial account reflects that I have been repeatedly late. In fact, 18 late payments are reflected over the course of the loan. I have enclosed the Payment History relating to this account. Providian agreed to accept these payments as reported in the Payment History. Instead, they have accepted these payments and have failed to properly report the account's status. Please remove the delinquent payment history from this account.

Last, the bracketed Verizon Wireless account reflects an active collection status. This account was paid in full. Please update this account to reflect its fully paid status.

Thank you.

Ellen Beauclair-Harter

Enclosures

EXHIBIT 1

LANDSAFE CREDIT MERGE REPORT

Page 1

Request Date/Time: 09/15/2004 05:39:27 PM
 Prepared For: FULL SPECTRUM
 Subject: BEAUCLAIR - HARTER, ELLEN(ssn 113585815)
 Spouse:
 Address: 849 COTTON WIND STREET , HENDERSON, NV 89015

Request ID: CC1653563862
 Account #: 0000679000000000

PUBLIC RECORD INFORMATION

NOTE: Public records may contain duplicate information. This report displays all information reported by the repositories accessed.

BANKRUPTCIES

CHAPTER 7 BANKRUPTCY FILED IN 03-1999;
 LIABILITIES: \$177837; ASSETS: \$116970; STATUS: Discharged 06-1999;
 US BKPT CT NV LAS VEGA 2001; DOCKET# 9911889; I-SUBJECT;
 (EFX-Z4944241,TUC,XPN); REPORTED 03-1999;

COLLECTIONS

-- No Information Was Found --

DEROGATORY TRADELINES

Account Name/Number	(Bureau Reporting)	Past Due	Last
Type Open High Pymt Balance MOP Status Rptd		30 60 90+ MR	Dlq

Accounts under Subject/Spouse:

PROVIDIAN FINANCIAL/1400748541	(XPN+-3208490,TUC+,EFX+)	SUBJECT
I 12-2000 3316 84 2715	R-1 Current 09-2004 18 00 00 45	03-2003
Hist:09-2004 CCCCCCCCCCCCCCCCCCCCCC111111	LACT 08-2004	
Ctgy:Credit card	Term:REV Lmt:3200	
Account Closed by consumer		
Credit Line Closed - Consumer Request - Reported by Subscriber		
Account closed by consumer		

FORD CRED/24049684	(XPN-1631440,TUC+,EFX)	SUBJECT
I 06-2000 17103 393 2288	I-1 Current 08-2004 01 00 00 50	
Hist:08-2004 CCCCCCCCCCCCCCCCCCCCCCCCCCCCCC	LACT 08-2004	
Ctgy:Automobile	Term:54 Lmt:0	
Auto		

CAPITAL ONE BANK/412174140129	(XPN+-1270246,TUC,EFX)	SUBJECT
I 02-1997 1080 0 0	R-7 WEP 09-2004 02 00 00 25	03-1999
Hist:09-2004	PAID 12-1998	
Ctgy:Credit card	Term:REV Lmt:0	
Chapter 7 bankruptcy		
Bankruptcy Chapter 7		

CBUSASEARS/66107786	(XPN+-1323270,EFX)	SUBJECT
I 03-1995 1911 0 0	R-7 WEP 09-2004 01 00 00 23	03-1999
Hist:09-2004	LACT 06-1999	
Ctgy:Revolving Charge Account	Term:REV Lmt:0	
Bankruptcy Chapter 7		

LANDSAFE CREDIT MERGE REPORT

Page 3

Request Date/Time: 09/15/2004 05:39:27 PM

Request ID: CC1653563862

DEROGATORY TRADELINES

Account Name/Number	(Bureau Reporting)	Past Due	Last
Type Open High Pymt Balance MOP Status Rptd		30 60 90+ MR	Dlq

Accounts under Subject/Spouse:

TXACO/CITI/3206507109	(XPN+-1232920, EFX)		SUBJECT
I 03-1998 209 0 0 R-7 WEP 07-2004 00 00 00 1			
Hist:07-2004	LACT 12-1998		
Ctgy:Credit card	Term:REV Lmt:0		
Account in dispute-reported by subscriber			
Bankruptcy Chapter 7			

VERIZON WIRELESS/11030319620200001	(XPN+-1944327, EFX+)		SUBJECT
I 06-1998 67 0 0 0-9 Coll-P&L 01-2004 00 00 00 3			
Hist:01-2004	LACT 12-2002		
Ctgy:Unknown	Term:1 Lmt:0		
Charged off account			
Amount in high credit original charge-off amount			

CAPITAL ONE BANK/529115192625	(XPN-1270246, TUC, EFX+)		SUBJECT
I 06-2001 1296 0 0 R-1 Current 11-2003 03 01 00 29 02-2002			
Hist:11-2003 CCCCCCCCCCCCCCCCCCCCCC1C2	CLOSED 10-2003		
Ctgy:Credit card	Term:REV Lmt:0		
Account Closed by consumer			
Credit Line Closed - Consumer Request - Reported by Subscriber			
Paid account/zero balance			

MBGA/JC PENNEY/600889825290	(XPN+-3321860, TUC)		SUBJECT
I 04-1987 764 0 0 R-7 WEP 08-2004 00 00 00 1			
Hist:03-1998	CLOSED 04-1999		
Ctgy:Revolving Charge Account	Term:REV Lmt:764		
Chapter 7 bankruptcy			

HHLB BANK/81135858154	(XPN+-2156646)		SUBJECT
I 08-1997 3726 0 0 R-7 WEP 03-1999 01 02 05 18 02-1999			
Hist:03-1998 -54332321CCCCCCCC	LACT 12-1998		
Ctgy:Revolving Charge Account	Term:REV Lmt:0		

HARRIS BANK NH, N.A./5230011012543219	(XPN+-1220430)		SUBJECT
I 04-1989 2189 0 0 R-7 WEP 03-1999 00 00 00 1			
Hist:03-1998	LACT 12-1998		
Ctgy:Credit card	Term:REV Lmt:2137		

CHASE MANHATTAN MORTGAGE/11042512	(XPN+-3900510)		SUBJECT
I 09-1997 25000 0 0 M-1 Current 10-2003 07 02 00 65 10-2001			
Hist:10-2001 -CCCCCCCCCCCCCCCCCCCC	LACT		
Ctgy:Conventional RE mortgage	Term:300 Lmt:0		

WFFINANCE/108309700739675	(XPN+-3558395)		SUBJECT
I 08-1997 900 0 0 R-1 Current 07-2004 06 01 07 82 12-2000			
Hist:07-2004 CCCCCCCCCCCCCCCCCCCCC	LACT 12-2000		
Ctgy:Revolving Charge Account	Term:REV Lmt:900		

CESI
PO BOX 2579
COLUMBIA MD 21045-2579



Phone number: (888) 419-2374
Fax number: (888) 702-0008

ELLEN BEAUCLAIR-HARTER
849 COTTONWIND ST.
HENDERSON, NV 89015

Print Date: May 21, 2004

PAYMENT HISTORY

Date	Creditor	Account Number	Payment Received	Payment Issued	Check Number	Date Cleared
Sep 03 2003	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	009000024608194	
Aug 05 2003	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	009000024633855	
Jul 07 2003	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	0090000246133118	
Jun 04 2003	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	009000024679216	
May 06 2003	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	0090000246557324	
Apr 03 2003	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	0090000246402475	
Mar 05 2003	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	009000024622290	
Feb 04 2003	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	009000024622667	
Jan 03 2003	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	009000024624643	
Dec 04 2002	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	009000024620233	
Nov 03 2002	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	009000024620583	
Oct 04 2002	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	0090000246201902	
Sep 01 2002	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	0090000246208335	
Aug 03 2002	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	0090000246202845	
Jul 05 2002	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	00900002462019085	
Jun 05 2002	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	00900002462015636	
May 04 2002	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	00900002462016544	
Apr 01 2002	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	009000024620184037	
Mar 03 2002	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	009000024620163443	
Feb 03 2002	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	0090000246201802823	
Jan 03 2002	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	009000024620186865	
Dec 01 2001	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	009000024620183475	
Nov 01 2001	PROVIDIAN SecuredCard/JointVent	4559501400748541		\$67.00	009000024620182163	

experian

Prepared for
ELLEN BEAUCLAIR-HARTER
Report number
2100784787

Report date
October 27, 2004
www.experian.com/disputes
Call 800 583 4080
Page 1 of 20

Dear ELLEN BEAUCLAIR-HARTER,

To assist you in understanding your correction summary, we have provided additional information that relates directly to items on your personal credit report.

VERIZON WIRELESS
1103031962020....

PLEASE REFER TO YOUR CREDIT REPORT FOR UPDATE.

***** 3-DIGIT 890
0001580 3 AT 0.701 L 548
ELLEN BEAUCLAIR-HARTER
849 COTTON WIND ST
HENDERSON NV 89015-1825

PROVIDIAN FINANCIAL
455950140074...
WAS PREVIOUSLY INVESTIGATED.

We are responding to your request to verify item(s) on your personal credit report. We have already investigated this information and the credit grantor has verified its accuracy. Please refer to the personal credit report you received for the name and address of the credit grantor who verified this information. If you still believe the item is inaccurate, then we can add a statement of continued dispute to your personal credit report at your request, or you may wish to contact the credit grantor. Potentially negative information, such as missed or late payments, and most public record items remain on the credit report for 7 years, with the exception of Chapters 7, 11 and 12 bankruptcies, which remain for 10 years and unpaid tax liens which remain for 15 years.

When you question information on your personal credit report and tell us specifically why you believe the information is inaccurate or incomplete, we contact the source of the information through an automated verification system or letter. We ask the source to check their records to verify all of the information regarding the item you questioned, and report back within 30 days of the date that we received your request (21 days for Maine residents). Once we receive their response, we will send you the results of the investigation. If we do not receive a response within 30 days (21 days for Maine residents), we will update the item as you have requested or delete the information, and send you the results. If you submitted disputes to us, we are contacting the source of the information you questioned. When we complete our investigation process, which may take up to 30 days, we will send you the results. Should you need to contact us again, please be sure to reference the Report Number at the top of this letter. To check the status of your investigation, you may log on to www.experian.com/consumer.

Potentially negative information is removed 7 years from the initial missed payment that led to the delinquency. Missed payments and most public record items remain on the personal credit report for 7 years, except Chapters 7, 11 and 12 bankruptcies, which remain for 10 years, and unpaid tax liens, which remain for 15 years. A paid tax lien will remain for 7 years.

EXHIBIT 2

0234410838

L-548-01580-0110000



experian

Prepared for
ELLEN BEAUCCLAIR-HARTER
Report number
2100784787

Report date
October 27, 2004
www.experian.com/disputes
Call 800 583 4080

Credit items continued

Source/ Account number (except last few digits)	Date opened/ Reported since	Date of status/ Last reported	Type/ Terms/ Monthly payment	Responsibility	Credit limit or original amount/ High balance	Recent balance/ Recent payment	Status Details
13--MBGA/JC PENNEY PO BOX 981131 EL PASO TX 79998 (800) 527-4403 600889825290....	4-1987/	3-1999/	Revolving/ NA/ \$0	Individual	\$764 / \$764	\$0 /paid as of - /	Status: Discharged through Bankruptcy Chapter 7. Account history: Debt included in Chapter 7 Bankruptcy 03/11/1999 This item was verified and updated on 7-2004.
14--PROVIDIAN FINANCIAL 4900 JOHNSON DR PLEASANTON CA 94588 455950140074....	12-2000/ 2-2001	8-2004/ 10-2004	Revolving/ NA/ \$78	Individual	\$3,200 / \$3,316	\$2,592 as of 10-2004/	Status: Closed/Current, was past due 30 days. Account history: 30 days as of 11-2001 to 2-2003 Comment: "Account closed at consumer's request" This item was verified on 9-2004 and remained unchanged.
15--RNB - MERVYNS PO BOX 9475 MINNEAPOLIS MN 55440 4300950....	3-1995/ 8-2004	8-2004/ 8-2004	Revolving/ NA/ \$0	Individual	NA/ \$578	\$0 as of 8-2004/	Status: Included in bankruptcy. Account history: Discharged Through BK Ch 7, 11, or 12 on 08/25/2004 Creditor's statement "Purchased by another lender." This item was verified and updated on 9-2004.
16--VERIZON WIRELESS 10734 INTERNATIONAL DR RANCHO CORDOVA CA 95670 1103031962020....	6-1995/ 4-2003	7-2003/ 7-2003	Installment/ 1 Months/ \$0	Individual	\$67 / NA	NA/	Status: Paid/Account charged off. \$67 written off. Account history: Charge Off as of 4-2003 This item was verified and updated on 8-2003.

